

ASSEMBLY BILL

No. 1147

Introduced by Assembly Member Houston

February 21, 2003

An act to amend Section 512 of the Labor Code, relating to employment.

LEGISLATIVE COUNSEL'S DIGEST

AB 1147, as introduced, Houston. Employment: public transit meal periods.

Existing law requires an employer to provide meal periods to its employees after an employee has worked for a specified period of time.

This bill would exempt employers that provide contracted services to public transit operators from these requirements.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. It is the intent of the Legislature to remove any
2 unnecessary or restrictive provisions on private transportation
3 carriers providing cost-effective and vital lifeline services to
4 public transit operators, especially in a period of significant
5 reduction in public transit service.
6 SEC. 2. Section 512 of the Labor Code is amended to read:
7 512. (a) An employer may not employ an employee for a
8 work period of more than five hours per day without providing the
9 employee with a meal period of not less than 30 minutes, except
10 that if the total work period per day of the employee is no more than

1 six hours, the meal period may be waived by mutual consent of
2 both the employer and employee. An employer may not employ
3 an employee for a work period of more than 10 hours per day
4 without providing the employee with a second meal period of not
5 less than 30 minutes, except that if the total hours worked is no
6 more than 12 hours, the second meal period may be waived by
7 mutual consent of the employer and the employee only if the first
8 meal period was not waived.

9 (b) Notwithstanding subdivision (a), the Industrial Welfare
10 Commission may adopt a working condition order permitting a
11 meal period to commence after six hours of work if the
12 commission determines that the order is consistent with the health
13 and welfare of the affected employees.

14 (c) *Notwithstanding subdivision (a), Industrial Welfare*
15 *Commission Wage Order 9-2001, or any other provision of law, an*
16 *employer that provides contracted services to a public transit*
17 *operator is exempt from the requirements of this section and from*
18 *Wage Order 9-2001.*

